1 2 3 4 5	CHRIS T. RASMUSSEN, ESQ. Nevada Bar 7149 RASMUSSEN & KANG 330 South 3 <sup>rd</sup> Street, Suite 1010 Las Vegas, Nevada 89101 (702) 464-6007 Attorney for Kelly White	
6	UNITED STATES DISTRICT COURT	
7	DISTRICT OF NEVADA	
8		
9	UNITED STATES OF AMERICA, )	
10	Plaintiff, )	2:10-MJ-0781-VCF
11	v. )	UNOPPOSED MOTION FOR
12	KELLY WHITE,	UNITED STATES PROBATION TO DRAFT A PRESENTENCE
13	) Defendant. )	REPORT PRIOR TO A CHANGE OF PLEA
14	)	OFFICE
15		
16	Defendant, KELLY WHITE, by and through his attorney, CHRIS T.	
17 18	RASMUSSEN, ESQ., comes before the Court requesting that the United States	
19	Probation Department conduct a presentence report to establish whether White is a	
20	career criminal pursuant to (4B1.1).	
21	DATED this 28 <sup>™</sup> Day of December, 2011	
22		Respectfully submitted
23		Roopooliumy oubmitted
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25		/s/ CHRIS THOMAS RASMUSSEN
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## **MEMORANDUM OF POINTS AND AUTHORITES**

White and the United States have worked out a plea negotiation in spirit.<sup>1</sup> The only way the parties will be able to complete the negotiation is if there is a determination regarding White's criminal history. Therefore, we are requesting an Order directing the United States Probation Department to conduct a pre-plea presentence report to determine criminal history.

DATED this 28<sup>th</sup> day of December, 2011.

Respectfully submitted

CHRIS THOMAS RASMUSSEN

## **ORDER**

IT IS SO ORDERED that the Unopposed Motion for United States Probation to Draft a Presentence Report Prior to a Change of Plea (dkt. 34) is GRANTED and the report shall be completed within sixty (60) days.

Dated this 13th day of January, 2012.

CAM FERENBACH

Contact

UNITED STATES MAGISTRATE JUDGE

<sup>&</sup>lt;sup>1</sup>The Government is in agreement that a pre-plea presentence report is needed to finalize the negotiations.